

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,
Plaintiff,

Crim. No.: 03-20001

Honorable David M. Lawson

v.

Magistrate Judge Elizabeth A. Stafford

TREMAYNE PATRICK BUCKNER,

Defendant.

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ORDER OF DETENTION PENDING
SUPERVISED RELEASED VIOLATION HEARING

Defendant appeared before the Court on August 20, 2015, for an initial appearance on a supervised release violation petition. The government requested detention pending the supervised release violation hearing before the Honorable David M. Lawson, which is scheduled for September 1, 2015 at 11:00 a.m. The Court was required to order Buckner detained unless he demonstrated by clear and convincing evidence that he will not flee or pose a danger to any other person or the community. Fed. R. Crim. P. 32.1(a)(6); 18 U.S.C. § 3143(a)(1). The Court found that he did not sustain his burden of demonstrating that he is not a danger to the community because he violated the provision requiring that he not commit another crime twice this year, on May 24 and June 3, 2015.

The June 3 violation is particularly problematic because Buckner fled police who were responding to a call involving domestic violence, and entered an occupied home, leading him to plead no contest to illegal entry without permission and attempted resisting or obstructing a police officer. Of further note, Buckner was twice charged with a felony drug offense within the last year; the charges were dropped when witnesses failed to appear. These events lead the Court to believe that, while Buckner appeared to be on a good path after he was released from custody in December 2012, his more recent course of conduct belies his argument that he is not a danger to the community.

Accordingly, the Court GRANTS the government's motion for detention pending Buckner's supervised release violation hearing.

IT IS SO ORDERED.

Dated: August 21, 2015
Detroit, Michigan

s/Elizabeth A. Stafford
ELIZABETH A. STAFFORD
United States Magistrate Judge